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8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

11 In the Matter of the First Amended Accusation
12 Against:

Case No. 2013-653

13 **SOUSAN EHTESHAMI KHOSRAVI**
14 **aka SOUSAN SOUSAN EHTESHAMI**
15 **KHOSRAVI**
16 **aka MAHNAZ EHTESHAMI**
17 **5990 N. Arlington Blvd.**
18 **San Pablo, CA 94806**

FIRST AMENDED ACCUSATION

19 **Registered Nurse License No. 550052**

20 Respondent.

21 Complainant alleges:

22 **PARTIES**

23 1. Louise R. Bailey, M.Ed., RN ("Complainant") brings this First Amended Accusation
24 solely in her official capacity as the Executive Officer of the Board of Registered Nursing,
25 Department of Consumer Affairs.

26 2. On or about November 23, 1998, the Board of Registered Nursing issued Registered
27 Nurse License Number 550052 to Sousan Ehteshami Khosravi, aka Sousan Sousan Ehteshami
28 Khosravi, aka Mahnaz Ehteshami ("Respondent"). The Registered Nurse License was in full
force and effect at all times relevant to the charges brought herein and will expire on February 28,
2014, unless renewed.

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1 8. California Code of Regulations, title 16, section 1443, states:

2 "As used in Section 2761 of the code, 'incompetence' means the lack of possession of or the
3 failure to exercise that degree of learning, skill, care and experience ordinarily possessed and
4 exercised by a competent registered nurse as described in Section 1443.5."

5 9. California Code of Regulations, title 16, section 1443.5 states:

6 "A registered nurse shall be considered to be competent when he/she consistently
7 demonstrates the ability to transfer scientific knowledge from social, biological and physical
8 sciences in applying the nursing process, as follows:

9 "(1) Formulates a nursing diagnosis through observation of the client's physical condition
10 and behavior, and through interpretation of information obtained from the client and others,
11 including the health team.

12 "(2) Formulates a care plan, in collaboration with the client, which ensures that direct and
13 indirect nursing care services provide for the client's safety, comfort, hygiene, and protection, and
14 for disease prevention and restorative measures.

15 "(3) Performs skills essential to the kind of nursing action to be taken, explains the health
16 treatment to the client and family and teaches the client and family how to care for the client's
17 health needs.

18 "(4) Delegates tasks to subordinates based on the legal scopes of practice of the
19 subordinates and on the preparation and capability needed in the tasks to be delegated, and
20 effectively supervises nursing care being given by subordinates.

21 "(5) Evaluates the effectiveness of the care plan through observation of the client's physical
22 condition and behavior, signs and symptoms of illness, and reactions to treatment and through
23 communication with the client and health team members, and modifies the plan as needed.

24 "(6) Acts as the client's advocate, as circumstances require, by initiating action to improve
25 health care or to change decisions or activities which are against the interests or wishes of the
26 client, and by giving the client the opportunity to make informed decisions about health care
27 before it is provided."

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1 COST RECOVERY

2 10. Section 125.3 of the Code provides, in pertinent part, that the Board may request the
3 administrative law judge to direct a licentiate found to have committed a violation or violations of
4 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
5 enforcement of the case, with failure of the licentiate to comply subjecting the license to not being
6 renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be
7 included in a stipulated settlement.

8 STATEMENT OF FACTS

9 Patient LM's Infiltrated Intravenous Site

10 11. At all relevant times, Respondent was employed as a registered nurse at Doctor's
11 Medical Center ("DMC") in San Pablo, California.

12 12. On or about April 5, 2009, Respondent assumed care of Patient LM ("LM"), a 72
13 year-old male who had been admitted to DMC with complaints of nausea and vomiting. He was
14 found to be anemic and in renal failure.

15 13. At approximately 8:00 a.m., Respondent noted that LM's right forearm intravenous
16 ("IV") site was infiltrated and red, with a red line in the center.

17 14. Respondent did not inform LM's physician of the infiltrated IV site. Instead, a warm
18 towel wrapped in an absorbent plastic pad was placed over LM's forearm.

19 15. Approximately five to ten minutes later, LM reported pain in his right forearm.
20 Respondent removed the towel and observed that a blister (second degree burn) had formed.
21 Respondent then wrapped LM's wound with a Kerlix (dry gauze) dressing.

22 16. Respondent failed to contact LM's physician regarding the blister that had formed on
23 his right forearm. Respondent did not document the care that she provided to LM as a result of the
24 infiltrated IV. There was no documentation that Respondent re-evaluated LM's second degree
25 burn injury on her shift on April 5, 2009.

26 17. LM was diagnosed with cellulitis (skin infection) at the infiltrated IV site and placed
27 on antibiotic therapy.

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1 cause for discipline are set forth above in paragraphs 12 through 15.

2 SECOND CAUSE FOR DISCIPLINE

3 (Gross Negligence/Incompetence - Treatment Without Physician Order)

4 24. Respondent is subject to disciplinary action under Code section 2761(a)(1) for gross
5 negligence and/or incompetence in that she treated LM's infiltrated/infected IV site without a
6 physician's order, with said treatment leading to LM's development of a second degree burn on
7 his right forearm. The facts in support of this cause for discipline are set forth above in
8 paragraphs 13 through 15.

9 THIRD CAUSE FOR DISCIPLINE

10 (Gross Negligence - Inappropriate Treatment of Infiltrated IV)

11 25. Respondent is subject to disciplinary action under Code section 2761(a)(1) for gross
12 negligence and/or incompetence in that she treated LM's infiltrated/infected IV site by placing a
13 warm towel wrapped in an absorbent plastic pad over his forearm leading to LM's development
14 of a second degree burn on his right forearm. The facts in support of this cause for discipline are
15 set forth above in paragraphs 13 through 15.

16 FOURTH CAUSE FOR DISCIPLINE

17 (Gross Negligence/Incompetence - Failure to Notify Physician of
18 Second Degree Burn Injury)

19 26. Respondent is subject to disciplinary action under Code section 2761(a)(1) for gross
20 negligence and/or incompetence in that she failed to notify LM's physician that he developed a
21 second degree burn as a result of her treatment with a warm towel wrapped in an absorbent plastic
22 pad. The facts in support of this cause for discipline are set forth above in paragraphs 15 and 16.

23 FIFTH CAUSE FOR DISCIPLINE

24 (Gross Negligence/Incompetence - Treatment Without Physician Order)

25 27. Respondent is subject to disciplinary action under Code section 2761(a)(1) for gross
26 negligence and/or incompetence in that without a physician's order she treated LM's second
27 degree burn by wrapping it in a Kerlix dressing. The facts in support of this cause for discipline
28 are set forth above in paragraphs 15 and 16.

1 SIXTH CAUSE FOR DISCIPLINE

2 (Gross Negligence/Incompetence - Inappropriate Treatment of
3 Second Degree Burn Injury)

4 28. Respondent is subject to disciplinary action under Code section 2761(a)(1) for gross
5 negligence and/or incompetence in that she treated LM's second degree burn by wrapping it in a
6 Kerlix dressing. The facts in support of this cause for discipline are set forth above in paragraph
7 15.

8 SEVENTH CAUSE FOR DISCIPLINE

9 (Incompetence - Failure to Re-assess Second Degree Burn Injury)

10 29. Respondent is subject to disciplinary action under Code section 2761(a)(1) for
11 incompetence in that she failed to re-assess LM's second degree burn injury during her shift on
12 April 5, 2009. The facts in support of this cause for discipline are set forth above in paragraph
13 16.

14 EIGHTH CAUSE FOR DISCIPLINE

15 (Incompetence - Failure to Document Treatment and Interventions)

16 30. Respondent is subject to disciplinary action under Code section 2761(a)(1) for
17 incompetence in that she failed to document treatment and/or interventions regarding the care and
18 evaluation of LM's infiltrated IV site and/or second degree burn injury. The facts in support of
19 this cause set forth above in paragraph 16.

20 NINTH CAUSE FOR DISCIPLINE

21 (Unprofessional Conduct - Failure to Follow DMC Protocols)

22 31. Respondent is subject to discipline for unprofessional conduct pursuant to Code
23 section 2761(a), in that she failed to follow DMC's protocols for patients who had an infiltrated
24 IV; failed to follow DMC's protocols for treatment of a burn injury; failed to follow DMC's
25 protocols regarding documentation of nursing care and interventions for care of a patient with an
26 infiltrated IV and/or second degree burn injury.

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1 TENTH CAUSE FOR DISCIPLINE

2 (Gross Negligence/Incompetence - Failure to Follow Physician's Pre-Operative Orders)

3 32. Respondent is subject to disciplinary action under Code section 2761(a)(1) for gross
4 negligence and/or incompetence in that she failed to follow the pre-operative orders of LM's
5 physician that required he be kept NPO after midnight for the gastrointestinal procedure
6 scheduled on the morning of April 5, 2009. The facts in support of this cause for discipline are
7 set forth above in paragraph 18.

8 ELEVENTH CAUSE FOR DISCIPLINE

9 (Gross Negligence/Incompetence - Failure to Promptly Advise GI Lab)

10 33. Respondent is subject to disciplinary action under Code section 2761(a)(1) for gross
11 negligence and/or incompetence in that she delayed in notifying the GI lab at DMC that LM had
12 eaten half of his breakfast. The facts in support of this cause for discipline are set forth above in
13 paragraph 19.

14 TWELFTH CAUSE FOR DISCIPLINE

15 (Incompetence - Failure to Assess DC's Cardiac Pause)

16 34. Respondent is subject to disciplinary action under Code section 2761(a)(1) for
17 incompetence in that she failed to immediately assess DC after her cardiac pause and failed to
18 notify DC's physician of this cardiac event. The facts in support of this cause for discipline are
19 set forth above in paragraphs 20 and 21.

20 THIRTEENTH CAUSE FOR DISCIPLINE

21 (Gross Negligence - Unsafe Medication Administration)

22 35. Respondent is subject to disciplinary action under Code section 2761(a)(1) for gross
23 negligence in that she repeatedly failed to properly identify patients prior to administering ordered
24 medications. The facts in support of this cause for discipline are set forth above in paragraph 22.

25 PRAYER

26 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
27 and that following the hearing, the Board of Registered Nursing issue a decision:

28 1. Revoking or suspending Registered Nurse License Number 550052, issued to Sousan

1 Ehteshami Khosravi, aka Sousan Sousan Ehteshami Khosravi, aka Mahnaz Ehteshami;

2 2. Ordering Sousan Ehteshami Khosravi, aka Sousan Sousan Ehteshami Khosravi, aka
3 Mahnaz Ehteshami, to pay the Board of Registered Nursing the reasonable costs of the
4 investigation and enforcement of this case, pursuant to Business and Professions Code section
5 125.3;

6 3. Taking such other and further action as deemed necessary and proper.

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8 DATED: April 23, 2013

Louise R. Bailey
LOUISE R. BAILEY, M.ED., RN
Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

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